

1 for Production No. 11 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
2 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
3 seasonably after Defendants yield all requested jurisdictional discovery.
4

5 **REQUEST FOR PRODUCTION NO. 12:**

6 All documents, electronically stored information, and things relating to or resulting from your
7 Freedom of Information Act requests submitted to the United States Navy and United States Air Force
8 Exchanges in the Territory of Guam.

9 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 12:**

10 Plaintiffs object to Request for Production No. 12 as premature. Neither Defendant has served
11 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
12 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
13 obligation whatsoever to respond.
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15 Plaintiffs object to Request for Production No. 12 because it seeks information regarding the
16 continuing investigation being conducted by Plaintiffs' counsel and Plaintiffs' Response, which is still
17 being prepared by Plaintiffs' counsel and has not yet been filed. Such information is protected by the
18 work product privilege and doctrine.

19 Plaintiffs object to Request for Production No. 12 as premature because it seeks information
20 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
21 not due until May 15, 2007.
22

23 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
24 for Production No. 12 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
25 May 15, 2007 (concurrent with the filing of Plaintiffs' Response).

26 **REQUEST FOR PRODUCTION NO. 13:**

27 All documents, electronically stored information, and things demonstrating, showing or
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1 otherwise relating to your allegation in Paragraph 21 of your First Amended Complaint that FMA has
2 or had knowledge that its products would be utilized or contained in a significant number of consumer
3 products sold in the Territory of Guam.

4 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 13:**

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6 Plaintiffs object to Request for Production No. 13 as premature. Neither Defendant has served
7 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
8 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
9 obligation whatsoever to respond.

10 Plaintiffs object to Request for Production No. 13 because it seeks information regarding the
11 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
12 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
13 not yet been filed. Such information is protected by the work product privilege and doctrine.

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15 Plaintiffs object to Request for Production No. 13 as premature because it seeks information
16 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
17 not due until May 15, 2007.

18 Plaintiffs object to Request for Production No. 13 because it calls for the product of
19 jurisdictional discovery that Defendants have yet to fully yield.

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21 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
22 for Production No. 13 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
23 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
24 seasonably after Defendants yield all requested jurisdictional discovery.

25 **REQUEST FOR PRODUCTION NO. 14:**

26 All documents, electronically stored information, and things demonstrating, showing or
27 otherwise relating to your allegation in Paragraph 21 of your First Amended Complaint that FMA's
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1 microelectronics are present in “products produced by major manufacturers of consumer electronics
2 and extensively distributed throughout the United States and the Territory of Guam.”

3 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 14:**

4 Plaintiffs object to Request for Production No. 14 as premature. Neither Defendant has served
5 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
6 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
7 obligation whatsoever to respond.
8

9 Plaintiffs object to Request for Production No. 14 because it seeks information regarding the
10 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
11 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
12 not yet been filed. Such information is protected by the work product privilege and doctrine.
13

14 Plaintiffs object to Request for Production No. 14 as premature because it seeks information
15 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
16 not due until May 15, 2007.

17 Plaintiffs object to Request for Production No. 14 because it calls for the product of
18 jurisdictional discovery that Defendants have yet to fully yield.

19 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
20 for Production No. 14 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
21 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
22 seasonably after Defendants yield all requested jurisdictional discovery.
23

24 **REQUEST FOR PRODUCTION NO. 15:**

25 All documents, electronically stored information, and things demonstrating, showing or
26 otherwise relating to your allegation in Paragraph 22 of your First Amended Complaint that “a
27 substantial number of retail outlets in the Territory of Guam regularly carry and sell consumer products
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1 containing microelectronics manufactured by FMA.”

2 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 15:**

3 Plaintiffs object to Request for Production No. 15 as premature. Neither Defendant has served
4 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
5 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
6 obligation whatsoever to respond.
7

8 Plaintiffs object to Request for Production No. 15 because it seeks information regarding the
9 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
10 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
11 not yet been filed. Such information is protected by the work product privilege and doctrine.
12

13 Plaintiffs object to Request for Production No. 15 as premature because it seeks information
14 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
15 not due until May 15, 2007.

16 Plaintiffs object to Request for Production No. 15 because it calls for the product of
17 jurisdictional discovery that Defendants have yet to fully yield.

18 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
19 for Production No. 15 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
20 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
21 seasonably after Defendants yield all requested jurisdictional discovery.
22

23 **REQUEST FOR PRODUCTION NO. 16:**

24 All documents, electronically stored information, and things demonstrating, showing or
25 otherwise relating to your allegation in Paragraph 23 of your First Amended Complaint that “people
26 and businesses in the Territory of Guam can order and purchase electronic products containing
27 microelectronics manufactured by FMA.”
28

OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 16:

Plaintiffs object to Request for Production No. 16 as premature. Neither Defendant has served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no obligation whatsoever to respond.

Plaintiffs object to Request for Production No. 16 because it seeks information regarding the pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has not yet been filed. Such information is protected by the work product privilege and doctrine.

Plaintiffs object to Request for Production No. 16 as premature because it seeks information that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is not due until May 15, 2007.

Plaintiffs object to Request for Production No. 16 because it calls for the product of jurisdictional discovery that Defendants have yet to fully yield.

Subject to the foregoing objections, Plaintiffs will provide information responsive to Request for Production No. 16 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response seasonably after Defendants yield all requested jurisdictional discovery.

REQUEST FOR PRODUCTION NO. 17:

All documents, electronically stored information, and things demonstrating, showing or otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that Fujitsu Limited engaged in business in the Territory of Guam.

OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 17:

Plaintiffs object to Request for Production No. 17 as premature. Neither Defendant has served

1 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
2 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
3 obligation whatsoever to respond.

4 Plaintiffs object to Request for Production No. 17 because it seeks information regarding the
5 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
6 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
7 not yet been filed. Such information is protected by the work product privilege and doctrine.

8 Plaintiffs object to Request for Production No. 17 as premature because it seeks information
9 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
10 not due until May 15, 2007.

11 Plaintiffs object to Request for Production No. 17 because it calls for the product of
12 jurisdictional discovery that Defendants have yet to fully yield.

13 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
14 for Production No. 17 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
15 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
16 seasonably after Defendants yield all requested jurisdictional discovery.

17 **REQUEST FOR PRODUCTION NO. 18:**

18 All documents, electronically stored information, and things demonstrating, showing or
19 otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that Fujitsu
20 Limited has systematic and continuous contacts in the Territory of Guam.

21 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 18:**

22 Plaintiffs object to Request for Production No. 18 as premature. Neither Defendant has served
23 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
24 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
25

1 obligation whatsoever to respond.

2 Plaintiffs object to Request for Production No. 18 because it seeks information regarding the
3 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
4 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
5 not yet been filed. Such information is protected by the work product privilege and doctrine.
6

7 Plaintiffs object to Request for Production No. 18 as premature because it seeks information
8 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
9 not due until May 15, 2007.

10 Plaintiffs object to Request for Production No. 18 because it calls for the product of
11 jurisdictional discovery that Defendants have yet to fully yield.
12

13 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
14 for Production No. 18 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
15 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
16 seasonably after Defendants yield all requested jurisdictional discovery.

17 **REQUEST FOR PRODUCTION NO. 19:**

18 All documents, electronically stored information, and things demonstrating, showing or
19 otherwise relating to your conclusion in Paragraph 3 of your First Amended Complaint that this
20 proceeding arises out of business done in the Territory of Guam.
21

22 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 19:**

23 Plaintiffs object to Request for Production No. 19 as premature. Neither Defendant has served
24 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
25 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
26 obligation whatsoever to respond.

27 Plaintiffs object to Request for Production No. 19 because it seeks information regarding the
28

1 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
2 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
3 not yet been filed. Such information is protected by the work product privilege and doctrine.

4 Plaintiffs object to Request for Production No. 19 as premature because it seeks information
5 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
6 not due until May 15, 2007.

8 Plaintiffs object to Request for Production No. 19 because it calls for the product of
9 jurisdictional discovery that Defendants have yet to fully yield.

10 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
11 for Production No. 19 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
12 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
13 seasonably after Defendants yield all requested jurisdictional discovery.

14
15 **REQUEST FOR PRODUCTION NO. 20:**

16 All documents, electronically stored information, and things demonstrating, showing or
17 otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that FMA
18 engages in business in the Territory of Guam.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 20:**

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21 Plaintiffs object to Request for Production No. 20 as premature. Neither Defendant has served
22 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
23 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
24 obligation whatsoever to respond.

25 Plaintiffs object to Request for Production No. 20 because it seeks information regarding the
26 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
27 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
28

1 not yet been filed. Such information is protected by the work product privilege and doctrine.

2 Plaintiffs object to Request for Production No. 20 as premature because it seeks information
3 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
4 not due until May 15, 2007.

5 Plaintiffs object to Request for Production No. 20 because it calls for the product of
6 jurisdictional discovery that Defendants have yet to fully yield.

7 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
8 for Production No. 20 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
9 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
10 seasonably after Defendants yield all requested jurisdictional discovery.
11

12 **REQUEST FOR PRODUCTION NO. 21:**

13 All documents, electronically stored information, and things demonstrating, showing or
14 otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that FMA has
15 systematic and continuous contacts in the Territory of Guam.
16

17 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 21:**

18 Plaintiffs object to Request for Production No. 21 as premature. Neither Defendant has served
19 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
20 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
21 obligation whatsoever to respond.
22

23 Plaintiffs object to Request for Production No. 21 because it seeks information regarding the
24 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
25 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
26 not yet been filed. Such information is protected by the work product privilege and doctrine.
27

28 Plaintiffs object to Request for Production No. 21 as premature because it seeks information

1 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
2 not due until May 15, 2007.

3 Plaintiffs object to Request for Production No. 21 because it calls for the product of
4 jurisdictional discovery that Defendants have yet to fully yield.

5 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
6 for Production No. 21 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
7 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
8 seasonably after Defendants yield all requested jurisdictional discovery.

9
10 **REQUEST FOR PRODUCTION NO. 22:**

11 All documents, electronically stored information, and things demonstrating, showing or
12 otherwise relating to your conclusion in Paragraph 4 of your First Amended Complaint that this
13 proceeding arises out of business done in the Territory of Guam.

14
15 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 22:**

16 Plaintiffs object to Request for Production No. 22 as premature. Neither Defendant has served
17 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
18 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
19 obligation whatsoever to respond.

20 Plaintiffs object to Request for Production No. 22 because it seeks information regarding the
21 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
22 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
23 not yet been filed. Such information is protected by the work product privilege and doctrine.

24 Plaintiffs object to Request for Production No. 22 as premature because it seeks information
25 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
26 not due until May 15, 2007.
27
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1 Plaintiffs object to Request for Production No. 22 because it calls for the product of
2 jurisdictional discovery that Defendants have yet to fully yield.

3 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
4 for Production No. 22 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
5 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
6 seasonably after Defendants yield all requested jurisdictional discovery.
7

8 **REQUEST FOR PRODUCTION NO. 23:**

9 All documents, electronically stored information, and things demonstrating, showing or
10 otherwise relating to your conclusion in Paragraph 19 of your First Amended Complaint that
11 "Defendants transact substantial business of a substantial character within the Territory of Guam."
12

13 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 23:**

14 Plaintiffs object to Request for Production No. 23 as premature. Neither Defendant has served
15 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
16 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
17 obligation whatsoever to respond.

18 Plaintiffs object to Request for Production No. 23 because it seeks information regarding the
19 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
20 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
21 not yet been filed. Such information is protected by the work product privilege and doctrine.
22

23 Plaintiffs object to Request for Production No. 23 as premature because it seeks information
24 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
25 not due until May 15, 2007.

26 Plaintiffs object to Request for Production No. 23 because it calls for the product of
27 jurisdictional discovery that Defendants have yet to fully yield.
28

1 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
2 for Production No. 23 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
3 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
4 seasonably after Defendants yield all requested jurisdictional discovery.

5
6 **REQUEST FOR PRODUCTION NO. 24:**

7 All documents, electronically stored information, and things demonstrating, showing or
8 otherwise relating to your conclusion in Paragraph 8 of your First Amended Complaint that "each
9 Defendant has sufficient minimum contacts with the forum as a result of" placing products "into the
10 stream of commerce with the intention that they would be available to people in the United States and
11 the Territory of Guam."

12
13 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 24:**

14 Plaintiffs object to Request for Production No. 24 as premature. Neither Defendant has served
15 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
16 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
17 obligation whatsoever to respond.

18 Plaintiffs object to Request for Production No. 24 because it seeks information regarding the
19 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
20 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
21 not yet been filed. Such information is protected by the work product privilege and doctrine.

22
23 Plaintiffs object to Request for Production No. 24 as premature because it seeks information
24 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
25 not due until May 15, 2007.

26 Plaintiffs object to Request for Production No. 24 because it calls for the product of
27 jurisdictional discovery that Defendants have yet to fully yield.
28

1 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
2 for Production No. 24 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
3 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
4 seasonably after Defendants yield all requested jurisdictional discovery.
5

6 **REQUEST FOR PRODUCTION NO. 25:**

7 All documents, electronically stored information, and things demonstrating, showing or
8 otherwise relating to your conclusion in Paragraph 9 of your First Amended Complaint that "each
9 Defendant has sufficient minimum contacts with the forum as a result of business conducted
10 continuously and systematically within the Territory of Guam."
11

12 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 25:**

13 Plaintiffs object to Request for Production No. 25 as premature. Neither Defendant has served
14 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
15 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
16 obligation whatsoever to respond.

17 Plaintiffs object to Request for Production No. 25 because it seeks information regarding the
18 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
19 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
20 not yet been filed. Such information is protected by the work product privilege and doctrine.
21

22 Plaintiffs object to Request for Production No. 25 as premature because it seeks information
23 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
24 not due until May 15, 2007.

25 Plaintiffs object to Request for Production No. 25 because it calls for the product of
26 jurisdictional discovery that Defendants have yet to fully yield.
27

28 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request

1 for Production No. 25 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
2 May 15, 2007 (concurrent with the filing of Plaintiffs' Response), and will supplement this response
3 seasonably after Defendants yield all requested jurisdictional discovery.

4 **REQUEST FOR PRODUCTION NO. 26:**

5 All documents, electronically stored information, and things upon which you rely to support
6 your response to Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S
7 FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
8

9 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 26:**

10 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
11 Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
12 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
13

14 Plaintiffs object to Request for Production No. 26 as premature. Neither Defendant has served
15 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
16 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
17 obligation whatsoever to respond.

18 Plaintiffs object to Request for Production No. 26 because it seeks information regarding the
19 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
20 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
21 not yet been filed. Such information is protected by the work product privilege and doctrine.
22

23 Plaintiffs object to Request for Production No. 26 as premature because it seeks information
24 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
25 not due until May 15, 2007.

26 Plaintiffs object to Request for Production No. 26 because it calls for the product of
27 jurisdictional discovery that Defendants have yet to fully yield.
28

1 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
2 for Production No. 26 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
3 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
4 objections and responses to Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS,
5 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
6 response seasonably after Defendants yield all requested jurisdictional discovery.
7

8 **REQUEST FOR PRODUCTION NO. 27:**

9 All documents, electronically stored information, and things relating to the subject matter of
10 Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
11 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
12

13 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 27:**

14 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
15 Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
16 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

17 Plaintiffs object to Request for Production No. 27 as premature. Neither Defendant has served
18 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
19 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
20 obligation whatsoever to respond.
21

22 Plaintiffs object to Request for Production No. 27 because it seeks information regarding the
23 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
24 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
25 not yet been filed. Such information is protected by the work product privilege and doctrine.
26

27 Plaintiffs object to Request for Production No. 27 as premature because it seeks information
28 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is

1 not due until May 15, 2007.

2 Plaintiffs object to Request for Production No. 27 because it calls for the product of
3 jurisdictional discovery that Defendants have yet to fully yield.

4 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
5 for Production No. 27 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
6 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
7 objections and responses to Interrogatory No. 5 in FUJITSU MICROELECTRONICS AMERICAS,
8 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
9 response seasonably after Defendants yield all requested jurisdictional discovery.
10

11 **REQUEST FOR PRODUCTION NO. 28:**

12 All documents, electronically stored information, and things upon which you rely to support in
13 response to Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST
14 SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
15

16 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 28:**

17 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
18 Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
19 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
20

21 Plaintiffs object to Request for Production No. 28 as premature. Neither Defendant has served
22 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
23 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
24 obligation whatsoever to respond.

25 Plaintiffs object to Request for Production No. 28 because it seeks information regarding the
26 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
27 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
28

1 not yet been filed. Such information is protected by the work product privilege and doctrine.

2 Plaintiffs object to Request for Production No. 28 as premature because it seeks information
3 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
4 not due until May 15, 2007.

5 Plaintiffs object to Request for Production No. 28 because it calls for the product of
6 jurisdictional discovery that Defendants have yet to fully yield.
7

8 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
9 for Production No. 28 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
10 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
11 objections and responses to Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS,
12 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
13 response seasonably after Defendants yield all requested jurisdictional discovery.
14

15 **REQUEST FOR PRODUCTION NO. 29:**

16 All documents, electronically stored information, and things related to the subject matter of
17 Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
18 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION NO. 29:**

20 Plaintiffs incorporate by reference as if fully set forth herein their objections and responses to
21 Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS, INC.'S FIRST SET OF
22 INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS.
23

24 Plaintiffs object to Request for Production No. 29 as premature. Neither Defendant has served
25 pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil
26 Procedure 26(a). Because no pre-discovery disclosures have been made, Plaintiffs are under no
27 obligation whatsoever to respond.
28

1 Plaintiffs object to Request for Production No. 29 because it seeks information regarding the
2 pre-suit investigation conducted by Plaintiffs' counsel, the continuing investigation being conducted by
3 Plaintiffs' counsel, and Plaintiffs' Response, which is still being prepared by Plaintiffs' counsel and has
4 not yet been filed. Such information is protected by the work product privilege and doctrine.

5
6 Plaintiffs object to Request for Production No. 29 as premature because it seeks information
7 that is the subject of Plaintiffs' Response, which according to the Court's February 26, 2007 Order, is
8 not due until May 15, 2007.

9 Plaintiffs object to Request for Production No. 29 because it calls for the product of
10 jurisdictional discovery that Defendants have yet to fully yield.

11 Subject to the foregoing objections, Plaintiffs will provide information responsive to Request
12 for Production No. 29 after Defendants serve their Local Rule 26.2 pre-discovery disclosures or on
13 May 15, 2007 (concurrent with the filing of Plaintiffs' Response) or after Plaintiffs supplement their
14 objections and responses to Interrogatory No. 6 in FUJITSU MICROELECTRONICS AMERICAS,
15 INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-6) TO PLAINTIFFS, and will supplement this
16 response seasonably after Defendants yield all requested jurisdictional discovery.
17

18
19 Dated: April 23, 2007

SHORE CHAN BRAGALONE LLP

20
21 By: /s/ Alfonso Garcia Chan
22 ALFONSO GARCIA CHAN, ESQ.
(admitted *pro hac vice*)

23 ATTORNEYS FOR PLAINTIFFS
24 Nanya Technology Corp. and
Nanya Technology Corp. U.S.A.
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following counsel of record via electronic mail and confirmatory first class mail on April 23, 2007:

Rodney J. Jacob
Daniel M. Benjamin
Calvo & Clark, LLP
655 South Marine Corps Dr., Suite 202
Tamuning, Guam 96913

Michael M. Murray
Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005-1413

/s/ Alfonso Garcia Chan
ALFONSO GARCIA CHAN

ATTORNEYS FOR PLAINTIFFS
Nanya Technology Corp. and
Nanya Technology Corp. U.S.A.

EXHIBIT K

JOSEPH C. RAZZANO, ESQ.
TEKER TORRES & TEKER, P.C.
SUITE 2A, 130 ASPINALL AVENUE
HAGÅTÑA, GUAM 96910
TELEPHONE: (671) 477-9891/4
FACSIMILE: (671) 472-2601

JOHN S. UNPINGCO, ESQ.
UNPINGCO & ASSOCIATES, LLC
SUITE 12B, SINAJANA MALL
SINAJANA, GUAM
TELEPHONE: (671) 475-8545
FACSIMILE: (671) 475-8550

MICHAEL W. SHORE
ALFONSO GARCIA CHAN
MARTIN PASCUAL
SHORE CHAN BRAGALONE, LLP
325 NORTH SAINT PAUL STREET, SUITE 4450
DALLAS, TEXAS 75201
TELEPHONE: (214) 593-9110
FACSIMILE: (214) 593-9111

Attorneys for Plaintiffs
Nanya Technology Corp. and
Nanya Technology Corp. U.S.A.

UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiffs,

v.

FUJITSU LIMITED and FUJITSU
MICROELECTRONICS AMERICA, INC.,

Defendants.

Case No. CV-06-00025

**PLAINTIFF NANYA TECHNOLOGY
CORPORATION'S OBJECTIONS AND
RESPONSES TO FUJITSU
MICROELECTRONICS AMERICA,
INC.'S FIRST SET OF REQUESTS FOR
ADMISSIONS (NOS. 1-34)**

1 Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court,
2 Plaintiff Nanya Technology Corp. ("NTC ") hereby serves the following Responses and Objections to
3 admissions upon Defendant Fujitsu Microelectronics America, Inc. ("FMA"). NTC hereby reserves
4 the right to supplement all responses to these admissions in accordance with Federal Rules of Civil
5 Procedure 26(e).
6

7 **OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS**

8 1. NTC objects to the definitions of "Nanya," "you" and "your" to the extent that they
9 encompass "all predecessor or successor companies or corporations" that are not currently part of
10 NTC, to the extent they encompass "present ... investigators, accountants, consultants, attorneys, other
11 representatives, or any other persons acting or purporting to act on behalf of any of them" who are not
12 part of NTC, to the extent they encompass "consultants" otherwise protected by the consulting expert
13 privilege, to the extent they encompass "attorneys" otherwise protected by the attorney client and/or
14 work product privileges, and to the extent they encompass "former offices, directors, employees,
15 agents, investigators, accountants, consultants, attorneys, other representatives, or any other persons
16 acting or purporting to act on behalf of any of them" that are not currently part of NTC.
17

18 2. NTC objects to the definition of "document" to the extent it purports to cover subject
19 matter in excess of Federal Rule of Civil Procedure 34.
20

21 3. NTC objects to the definition of "electronically stored information" to the extent it
22 purports to cover subject matter in excess of Federal Rule of Civil Procedure 34.

23 4. NTC objects to the definition of "identify" to the extent it calls for a response in excess
24 of the minimum requirements of Federal Rule of Civil Procedure 36.

25 5. NTC objects to the Instructions generally to the extent they call for a response in excess
26 of the minimum requirements of Federal Rule of Civil Procedure 36.

27 6. NTC objects to Instruction No. 7 to the extent it recites privilege log requirements in
28

1 excess of the requirements called for by this Court, Ninth Circuit precedent, and the Federal Rules of
2 Civil Procedure.

3 7. NTC objects to Footnote No. 1 and Defendants' attempted disclaimer that they are not
4 substantively participating in the present lawsuit in Guam.

5
6 **RESPONSES AND OBJECTIONS TO FMA'S ADMISSIONS**

7 Subject to the foregoing objections, NTC further objects and responds as follows:

8 **REQUEST FOR ADMISSION NO. 1:**

9 Admit that Nanya does not maintain any offices in Guam.

10 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 1:**

11 NTC objects to Request for Admission No. 1 as premature. FMA has not served pre-discovery
12 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
13 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
14 respond. NTC further objects to Request for Admission No. 1 as seeking irrelevant to any claim or
15 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
16 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
17 for by Request for Admission No. 1 seasonably after FMA serves its Local Rule 26.2 pre-discovery
18 disclosures.
19

20 **REQUEST FOR ADMISSION NO. 2:**

21 Admit that Nanya does not maintain any operations in Guam.

22 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 2:**

23
24 NTC objects to Request for Admission No. 2 as premature. FMA has not served pre-discovery
25 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
26 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
27 respond. NTC further objects to Request for Admission No. 2 as seeking irrelevant to any claim or
28

1 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
2 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
3 for by Request for Admission No. 2 seasonably after FMA serves its Local Rule 26.2 pre-discovery
4 disclosures.

5
6 **REQUEST FOR ADMISSION NO. 3:**

7 Admit that Nanya does not have any employees in Guam.

8 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 3:**

9 NTC objects to Request for Admission No. 3 as premature. FMA has not served pre-discovery
10 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
11 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
12 respond. NTC further objects to Request for Admission No. 3 as seeking irrelevant to any claim or
13 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
14 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
15 for by Request for Admission No. 3 seasonably after FMA serves its Local Rule 26.2 pre-discovery
16 disclosures.

17
18 **REQUEST FOR ADMISSION NO. 4:**

19 Admit that Nanya does not have any affiliates in Guam.

20 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 4:**

21 NTC objects to Request for Admission No. 4 as premature. FMA has not served pre-discovery
22 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
23 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
24 respond. NTC further objects to Request for Admission No. 4 as seeking irrelevant to any claim or
25 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
26 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
27
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1 for by Request for Admission No. 4 seasonably after FMA serves its Local Rule 26.2 pre-discovery
2 disclosures.

3 **REQUEST FOR ADMISSION NO. 5:**

4 Admit that Nanya does not have any salespersons in Guam.

5 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 5:**

6
7 NTC objects to Request for Admission No. 5 as premature. FMA has not served pre-discovery
8 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
9 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
10 respond. NTC further objects to Request for Admission No. 5 as seeking irrelevant to any claim or
11 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
12 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
13 for by Request for Admission No. 5 seasonably after FMA serves its Local Rule 26.2 pre-discovery
14 disclosures.
15

16 **REQUEST FOR ADMISSION NO. 6:**

17 Admit that Nanya has not advertised any products in the Guam local newspapers or Guam local
18 magazines in the six years before the Complaint was filed in this action.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 6:**

20
21 NTC objects to Request for Admission No. 6 as premature. FMA has not served pre-discovery
22 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
23 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
24 respond. NTC further objects to Request for Admission No. 6 as seeking irrelevant to any claim or
25 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
26 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
27 for by Request for Admission No. 6 seasonably after FMA serves its Local Rule 26.2 pre-discovery
28

1 disclosures.

2 **REQUEST FOR ADMISSION NO. 7:**

3 Admit that Nanya has not advertised any services in the Guam local newspapers or Guam local
4 magazines in the six years before the Complaint was filed in this action.

5 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 7:**

6
7 NTC objects to Request for Admission No. 7 as premature. FMA has not served pre-discovery
8 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
9 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
10 respond. NTC further objects to Request for Admission No. 7 as seeking irrelevant to any claim or
11 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
12 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
13 for by Request for Admission No. 7 seasonably after FMA serves its Local Rule 26.2 pre-discovery
14 disclosures.
15

16 **REQUEST FOR ADMISSION NO. 8:**

17 Admit that Nanya does not have real property in Guam.

18 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 8:**

19
20 NTC objects to Request for Admission No. 8 as premature. FMA has not served pre-discovery
21 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
22 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
23 respond. NTC further objects to Request for Admission No. 8 as seeking irrelevant to any claim or
24 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
25 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
26 for by Request for Admission No. 8 seasonably after FMA serves its Local Rule 26.2 pre-discovery
27 disclosures.
28

1 **REQUEST FOR ADMISSION NO. 9:**

2 Admit that Nanya does not lease any facility in Guam.

3 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 9:**

4 NTC objects to Request for Admission No. 9 as premature. FMA has not served pre-discovery
5 disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a).
6 Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to
7 respond. NTC further objects to Request for Admission No. 9 as seeking irrelevant to any claim or
8 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
9 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
10 for by Request for Admission No. 9 seasonably after FMA serves its Local Rule 26.2 pre-discovery
11 disclosures.
12
13

14 **REQUEST FOR ADMISSION NO. 10:**

15 Admit that Nanya does not have a bank account in Guam.

16 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 10:**

17 NTC objects to Request for Admission No. 10 as premature. FMA has not served pre-
18 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
19 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
20 to respond. NTC further objects to Request for Admission No. 10 as seeking irrelevant to any claim or
21 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
22 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
23 for by Request for Admission No. 10 seasonably after FMA serves its Local Rule 26.2 pre-discovery
24 disclosures.
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1 **REQUEST FOR ADMISSION NO. 11:**

2 Admit that Nanya does not maintain a telephone number in Guam.

3 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 11:**

4 NTC objects to Request for Admission No. 11 as premature. FMA has not served pre-
5 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
6 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
7 to respond. NTC further objects to Request for Admission No. 11 as seeking irrelevant to any claim or
8 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
9 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
10 for by Request for Admission No. 11 seasonably after FMA serves its Local Rule 26.2 pre-discovery
11 disclosures.
12

13 **REQUEST FOR ADMISSION NO. 12:**

14 Admit that Nanya does not maintain a telefax number in Guam.

15 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 12:**

16 NTC objects to Request for Admission No. 12 as premature. FMA has not served pre-
17 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
18 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
19 to respond. NTC further objects to Request for Admission No. 12 as seeking irrelevant to any claim or
20 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
21 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
22 for by Request for Admission No. 12 seasonably after FMA serves its Local Rule 26.2 pre-discovery
23 disclosures.
24

25 **REQUEST FOR ADMISSION NO. 13:**

26 Admit that Nanya does not have a telex number in Guam.
27
28

OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 13:

NTC objects to Request for Admission No. 13 as premature. FMA has not served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to respond. NTC further objects to Request for Admission No. 13 as seeking irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called for by Request for Admission No. 13 seasonably after FMA serves its Local Rule 26.2 pre-discovery disclosures.

REQUEST FOR ADMISSION NO. 14:

Admit that Nanya does not have any directors in Guam.

OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 14:

NTC objects to Request for Admission No. 14 as premature. FMA has not served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to respond. NTC further objects to Request for Admission No. 14 as seeking irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called for by Request for Admission No. 14 seasonably after FMA serves its Local Rule 26.2 pre-discovery disclosures.

REQUEST FOR ADMISSION NO. 15:

Admit that Nanya does not have any officers in Guam.

OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 15:

NTC objects to Request for Admission No. 15 as premature. FMA has not served pre-

1 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
2 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
3 to respond. NTC further objects to Request for Admission No. 15 as seeking irrelevant to any claim or
4 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
5 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
6 for by Request for Admission No. 15 seasonably after FMA serves its Local Rule 26.2 pre-discovery
7 disclosures.
8

9 **REQUEST FOR ADMISSION NO. 16:**

10 Admit that Nanya does not maintain a post office box in Guam.

11 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 16:**

12 NTC objects to Request for Admission No. 16 as premature. FMA has not served pre-
13 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
14 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
15 to respond. NTC further objects to Request for Admission No. 16 as seeking irrelevant to any claim or
16 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
17 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
18 for by Request for Admission No. 16 seasonably after FMA serves its Local Rule 26.2 pre-discovery
19 disclosures.
20
21

22 **REQUEST FOR ADMISSION NO. 17:**

23 Admit that Nanya does not maintain a street address in Guam.

24 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 17:**

25 NTC objects to Request for Admission No. 17 as premature. FMA has not served pre-
26 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
27 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
28

1 to respond. NTC further objects to Request for Admission No. 17 as seeking irrelevant to any claim or
2 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
3 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
4 for by Request for Admission No. 17 seasonably after FMA serves its Local Rule 26.2 pre-discovery
5 disclosures.
6

7 **REQUEST FOR ADMISSION NO. 18:**

8 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
9 06-CV-00025 in the District of Guam, Nanya has never been party to a lawsuit or legal proceeding in
10 any Guam Federal District Court.

11 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 18:**

12 NTC objects to Request for Admission No. 18 as premature. FMA has not served pre-
13 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
14 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
15 to respond. NTC further objects to Request for Admission No. 18 as seeking irrelevant to any claim or
16 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
17 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
18 for by Request for Admission No. 18 seasonably after FMA serves its Local Rule 26.2 pre-discovery
19 disclosures.
20
21

22 **REQUEST FOR ADMISSION NO. 19:**

23 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
24 06-CV-00025 in the District of Guam, Nanya did not have in Guam any documents relevant to the
25 subject matter of this lawsuit.

26 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 19:**

27 NTC objects to Request for Admission No. 19 as premature. FMA has not served pre-
28

1 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
2 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
3 to respond. NTC further objects to Request for Admission No. 19 as seeking irrelevant to any claim or
4 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
5 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
6 for by Request for Admission No. 19 seasonably after FMA serves its Local Rule 26.2 pre-discovery
7 disclosures.
8

9 **REQUEST FOR ADMISSION NO. 20:**

10 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
11 06-CV-00025 in the District of Guam, Nanya had not appointed an agent in Guam for service of
12 process.
13

14 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 20:**

15 NTC objects to Request for Admission No. 20 as premature. FMA has not served pre-
16 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
17 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
18 to respond. NTC further objects to Request for Admission No. 20 as seeking irrelevant to any claim or
19 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
20 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
21 for by Request for Admission No. 20 seasonably after FMA serves its Local Rule 26.2 pre-discovery
22 disclosures.
23

24 **REQUEST FOR ADMISSION NO. 21:**

25 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
26 06-CV-00025 in the District of Guam, Nanya had not negotiated any agreements in Guam concerning
27 the subject matter of this action.
28

OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 21:

NTC objects to Request for Admission No. 21 as premature. FMA has not served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to respond. NTC further objects to Request for Admission No. 21 as seeking irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called for by Request for Admission No. 21 seasonably after FMA serves its Local Rule 26.2 pre-discovery disclosures.

REQUEST FOR ADMISSION NO. 22:

Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No. 06-CV-00025 in the District of Guam, Nanya had not executed any agreements in Guam concerning the subject matter of this action.

OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 22:

NTC objects to Request for Admission No. 22 as premature. FMA has not served pre-discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever to respond. NTC further objects to Request for Admission No. 22 as seeking irrelevant to any claim or defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called for by Request for Admission No. 22 seasonably after FMA serves its Local Rule 26.2 pre-discovery disclosures.

REQUEST FOR ADMISSION NO. 23:

Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.

1 06-CV-00025 in the District of Guam, Nanya had not executed any agreements that called for Nanya's
2 performance in Guam concerning the subject matter of this action.

3 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 23:**

4 NTC objects to Request for Admission No. 23 as premature. FMA has not served pre-
5 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
6 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
7 to respond. NTC further objects to Request for Admission No. 23 as seeking irrelevant to any claim or
8 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
9 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
10 for by Request for Admission No. 23 seasonably after FMA serves its Local Rule 26.2 pre-discovery
11 disclosures.
12

13
14 **REQUEST FOR ADMISSION NO. 24:**

15 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
16 06-CV-00025 in the District of Guam, Nanya had no correspondence with Fujitsu in Guam.

17 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 24:**

18 NTC objects to Request for Admission No. 24 as premature. FMA has not served pre-
19 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
20 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
21 to respond. NTC further objects to Request for Admission No. 24 as seeking irrelevant to any claim or
22 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
23 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
24 for by Request for Admission No. 24 seasonably after FMA serves its Local Rule 26.2 pre-discovery
25 disclosures.
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27
28

1 **REQUEST FOR ADMISSION NO. 25:**

2 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
3 06-CV-00025 in the District of Guam, Nanya had no correspondence with FMA in Guam.

4 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 25:**

5 NTC objects to Request for Admission No. 25 as premature. FMA has not served pre-
6 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
7 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
8 to respond. NTC further objects to Request for Admission No. 25 as seeking irrelevant to any claim or
9 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
10 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
11 for by Request for Admission No. 25 seasonably after FMA serves its Local Rule 26.2 pre-discovery
12 disclosures.
13
14

15 **REQUEST FOR ADMISSION NO. 26:**

16 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
17 06-CV-00025 in the District of Guam, Nanya had no correspondence with Fujitsu relating to any
18 business in Guam.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 26:**

20 NTC objects to Request for Admission No. 26 as premature. FMA has not served pre-
21 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
22 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
23 to respond. NTC further objects to Request for Admission No. 26 as seeking irrelevant to any claim or
24 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
25 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
26 for by Request for Admission No. 26 seasonably after FMA serves its Local Rule 26.2 pre-discovery
27
28

1 disclosures.

2 **REQUEST FOR ADMISSION NO. 27:**

3 Admit that prior to engaging Guam counsel to file *Nanya Tech. Corp. v. Fujitsu Limited*, No.
4 06-CV-00025 in the District of Guam, Nanya had no correspondence with FMA relating to any
5 business in Guam.
6

7 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 27:**

8 NTC objects to Request for Admission No. 27 as premature. FMA has not served pre-
9 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
10 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
11 to respond. NTC further objects to Request for Admission No. 27 as seeking irrelevant to any claim or
12 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
13 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
14 for by Request for Admission No. 27 seasonably after FMA serves its Local Rule 26.2 pre-discovery
15 disclosures.
16

17 **REQUEST FOR ADMISSION NO. 28:**

18 Admit that Nanya does not file a tax return in Guam.

19 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 28:**

20 NTC objects to Request for Admission No. 28 as premature. FMA has not served pre-
21 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
22 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
23 to respond. NTC further objects to Request for Admission No. 28 as seeking irrelevant to any claim or
24 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
25 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
26 for by Request for Admission No. 28 seasonably after FMA serves its Local Rule 26.2 pre-discovery
27
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1 disclosures.

2 **REQUEST FOR ADMISSION NO. 29:**

3 Admit that Nanya does not distribute any products concerning the subject matter of this action
4 in Guam.

5
6 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 29:**

7 NTC objects to Request for Admission No. 29 as premature. FMA has not served pre-
8 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
9 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
10 to respond. NTC further objects to Request for Admission No. 29 as seeking irrelevant to any claim or
11 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
12 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
13 for by Request for Admission No. 29 seasonably after FMA serves its Local Rule 26.2 pre-discovery
14 disclosures.
15

16 **REQUEST FOR ADMISSION NO. 30:**

17 Admit that Nanya Accused Products are offered for sale in the Northern District of California.

18 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 30:**

19 NTC objects to Request for Admission No. 30 as premature. FMA has not served pre-
20 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
21 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
22 to respond. NTC further objects to Request for Admission No. 30 as seeking irrelevant to any claim or
23 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
24 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
25 for by Request for Admission No. 30 seasonably after FMA serves its Local Rule 26.2 pre-discovery
26 disclosures.
27
28

1 **REQUEST FOR ADMISSION NO. 31:**

2 Admit that Nanya Accused Products are sold in the Northern District of California.

3 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 31:**

4 NTC objects to Request for Admission No. 31 as premature. FMA has not served pre-
5 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
6 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
7 to respond. NTC further objects to Request for Admission No. 31 as seeking irrelevant to any claim or
8 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
9 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
10 for by Request for Admission No. 31 seasonably after FMA serves its Local Rule 26.2 pre-discovery
11 disclosures.
12

13 **REQUEST FOR ADMISSION NO. 32:**

14 Admit that Nanya Accused Products are imported into the Northern District of California.

15 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 32:**

16 NTC objects to Request for Admission No. 32 as premature. FMA has not served pre-
17 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
18 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
19 to respond. NTC further objects to Request for Admission No. 32 as seeking irrelevant to any claim or
20 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
21 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
22 for by Request for Admission No. 32 seasonably after FMA serves its Local Rule 26.2 pre-discovery
23 disclosures.
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1 **REQUEST FOR ADMISSION NO. 33:**

2 Admit that Nanya obtains revenue from Nanya Accused Products sold within the Northern
3 District of California.

4 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 33:**

5 NTC objects to Request for Admission No. 33 as premature. FMA has not served pre-
6 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
7 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
8 to respond. NTC further objects to Request for Admission No. 33 as seeking irrelevant to any claim or
9 defense at issue in this case, including but not limited to jurisdiction and convenience. Subject to the
10 foregoing objections, NTC will supplement and respond to the relevant subject matter, if any, called
11 for by Request for Admission No. 33 seasonably after FMA serves its Local Rule 26.2 pre-discovery
12 disclosures.
13
14

15 **REQUEST FOR ADMISSION NO. 34:**

16 Admit that the United States District Court for the Northern District of California has personal
17 jurisdiction over Nanya.

18 **OBJECTIONS AND RESPONSES TO REQUEST FOR ADMISSION NO. 34:**

19 NTC objects to Request for Admission No. 34 as premature. FMA has not served pre-
20 discovery disclosures in this case as required by Local Rule 26.2 and Federal Rule of Civil Procedure
21 26(a). Because no pre-discovery disclosures have been made, NTC is under no obligation whatsoever
22 to respond. NTC further objects to Request for Admission No. 34 as seeking irrelevant to any claim or
23 defense at issue in this case, including but not limited to jurisdiction and convenience. NTC further
24 objects to Request for Admission No. 34 as not seeking facts, but a legal conclusion for a court to
25 decide. Subject to the foregoing objections, NTC will supplement and respond to the relevant subject
26 matter, if any, called for by Request for Admission No. 34 seasonably after FMA serves its Local Rule
27
28

1 26.2 pre-discovery disclosures.
2

3 Dated: April 23, 2007

SHORE CHAN BRAGALONE LLP

4
5 By: /s/ Alfonso Garcia Chan
6 ALFONSO GARCIA CHAN, ESQ.
(admitted *pro hac vice*)

7 ATTORNEYS FOR PLAINTIFFS
8 Nanya Technology Corp. and
Nanya Technology Corp. U.S.A.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following counsel of record via electronic mail and confirmatory first class mail on April 23, 2007:

Rodney J. Jacob
Daniel M. Benjamin
Calvo & Clark, LLP
655 South Marine Corps Dr., Suite 202
Tamuning, Guam 96913

Michael M. Murray
Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005-1413

/s/ Alfonso Garcia Chan
ALFONSO GARCIA CHAN

ATTORNEYS FOR PLAINTIFFS
Nanya Technology Corp. and
Nanya Technology Corp. U.S.A.